

**REMARKS**

Claims 1-36, 42, 43 and 45-48 are pending. By this Amendment, claim 1 is amended. Support for the amended features recited in claim 1 can be found in paragraphs [0172] - [0179] and step S6 of Fig. 4, for example.

An Election of Species was required in this application. Accordingly, Applicant elected Fig. 1. Claims 1, 2, 7-19, 21-36, 42, 43 and 45-48 read on elected Fig. 1. Claims 1, 11, 12, 22-24 and 37 remain generic to all species. Applicant thus retains claims 3-6 and 20 as these claims depend from claim 1. Applicant also requests rejoinder of claims 3-6 and 20 when claim 1 is found to be allowable, because claims 3-6 and 20 depend from claim 1 and would thus be allowable for at least the same reasons that claim 1 is allowable.

Applicant appreciates the indication of allowable subject matter in claims 9-12, 15, 17, 21, 23, 46 and 47, and the allowance of claims 25-36, 42 and 43.

Claims 1, 2, 7, 8, 13, 14, 16, 18, 19, 22, 24, 45 and 48 were rejected under 35 U.S.C. §102(b) over DE 197 16 404 (DE '404). The rejection is respectfully traversed.

DE '404 fails to disclose a braking system that is structured such that when the at least two pressurizing pistons move relative to the housing while the valve device is in the second state, the fluid is permitted to be discharged from the only one of the two pressurizing chambers and delivered to the brake cylinder, but none of the fluid permitted to be discharged from the other of the two pressurizing chambers is permitted to be delivered to said brake cylinder, as recited in claim 1.

As suggested on pages 4 and 5 of the Office Action, claim 1 has been amended to clarify that the first wherein clause is a feature of the braking system and not just the valve device. As previously discussed, DE '404's Fig. 3 fails to disclose the braking system of claim 1 because DE '404's braking system is structured such that when the pistons 4a, 6a

move relative to the housing while the valve 12 is in the closed state, fluid is permitted to be discharged from both of the chambers 4, 6 and is delivered to the brake cylinder 3.

As discussed, DE '404 fails to disclose the first and second states of claim 1.

Accordingly, DE '404 also fails to disclose a braking system that is structured to have the first state and the second state in a normal braking operation in which the pressure of the pressurized fluid in the brake cylinder changes with a change of an amount of operation of the brake operating member, as recited in claim 1.

It is respectfully requested that the rejection be withdrawn.

Claims 1, 7, 8, 13, 16, 18, 19 and 45 were rejected under 35 U.S.C. §102(b) over DE 3426612 (DE '612). The rejection is respectfully traversed.

DE '612 fails to disclose a braking system with a brake operating member manually operable by an operator of the braking system and a master cylinder operable upon an operation of the brake operating member, wherein:

the braking system is structured such that when the at least two pressurizing pistons move relative to the housing while the valve device is in the second state, the fluid is permitted to be discharged from the only one of said two pressurizing chambers and delivered to the brake cylinder, but none of the fluid permitted to be discharged from the other of the two pressurizing chambers is permitted to be delivered to the brake cylinder, and

the braking system is structured to have the first state and the second state in a normal braking operation in which the pressure of the pressurized fluid in the brake cylinder changes with a change of an amount of operation of the brake operating member, as recited in claim 1.

DE '612 discloses a braking system for a vehicle. The braking system has both an anti-lock braking operation and a normal operation in which pressure changes with a change of an amount of operation of a brake operating member manually operable by an operator of

the braking system. As illustrated in DE '612's Fig. 1, the braking system includes an operating member 2, a master cylinder 1 with chambers 6-8, valve devices 13, 14 and a brake cylinder 12.

In a normal braking operation, pressurized fluid is discharged from the pressurizing chamber 6 of the master cylinder 1 and delivered to the brake cylinder 12 such that the pressure of the pressurized fluid in the brake cylinder 12 changes with a change of an amount of operation of the brake operating member 2. However, in the normal braking operation, the valves 13, 14 (1) inhibit fluid communication between the other pressurizing chambers 7, 8 and the brake cylinder 12 and (2) permit fluid communication between the other pressurizing chambers 7, 8 and a reservoir 17. As such, pressurized fluid is not delivered from the other pressurizing chamber 7, 8 to the brake cylinder 12 during a normal braking operation.

Accordingly, although DE '612 may disclose a second state in a normal braking operation, DE '612 fails to also disclose a braking system that is structured to have a first state in a normal braking operation in which the pressure of the pressurized fluid in the brake cylinder changes with a change of an amount of operation of a brake operating member, as recited in claim 1.

DE '612 only discloses a first state in which pressurized fluid is delivered from two pressurizing chambers during the anti-lock braking operation. DE '612's anti-lock braking operation occurs when a wheel speed detected by the wheel speed sensor 22 falls below a threshold value. When the anti-lock braking operation is initiated, the valve device 13 is first switched such that the pressurizing chambers 6, 7 communicate with the brake cylinder 12 in order to reduce the pressure of the fluid in the brake cylinder 12 for a given amount of operation of the brake operating member 2. The braking pressure reduction takes place because a pressure-receiving surface of the pressurizing chamber 7 is larger than that of the pressurizing chamber 6. When the speed reduction of the wheel continues even after the

pressurizing chamber 7 is brought into communication with the brake cylinder 12, the valve device 14 is also switched such that all of the pressurizing chambers 6-8 communicate with the brake cylinder 12.

Accordingly, DE '612 only discloses using the first state during an anti-lock braking operation and not during a normal operation as discussed above and as recited in claim 1.

It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:SMS/ax1

Attachments:

Request for Continued Examination  
Petition for Extension of Time

Date: March 3, 2006

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